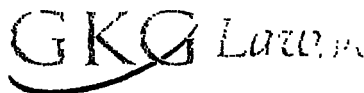


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November 19, 2009

Via Telefax

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423Re: Ex Parte No. 693, *Oral Argument*

Dear Brown:

Pursuant to the Board's order served November 3, 2009 in this proceeding, this letter is to confirm that the undersigned will be presenting the argument for Complainant U.S. Magnesium, LLC at the oral argument scheduled for November 23, 2009 in STB Docket No. 42114, *U.S. Magnesium, LLC v. Union Pacific Railroad Company*. I have elected to divide the 20 minutes allotted to Complainant into 13 minutes for opening remarks and 7 minutes for rebuttal.

Please feel free to contact me with any questions.

Sincerely,

Thomas W. Wilcox
Attorney for U.S. Magnesium, LLC

cc: Michael L. Rosenthal, Esq. (counsel for Defendant)

ENTERED
Office of Proceedings

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